

IN THE COURT OF COMMON PLEAS

PROBATE DIVISION

HIGHLAND COUNTY OHIO

IN RE:

ESTATE OF RAMONA F. CALHOUN

Case No.: 001104

JUDGE KEVIN L. GREER

AGREED JUDGMENT ENTRY

HIGHLAND COUNTY PROBATE COURT

FILED

JUN 21 2001

Judge Kevin L. Greer

PROBATE JUDGE

J.G. Wentworth ("Wentworth") and the Executor of the Estate of Ramona F. Calhoun (the "Estate") hereby agree that no assets will be distributed from the Estate until all issues between Wentworth and the Estate are resolved, except that requests for attorney's fees or other necessary Estate expenses may be made to the Court by motion with notice to J.G. Wentworth.

IT IS SO ORDERED.

Kevin L. Greer

JUDGE KEVIN L. GREER

ACKNOWLEDGED:

James S. Wetheim

James S. Wetheim, Counsel for J.G. Wentworth

date: June 14, 2001

Conrad A. Curren

Conrad A. Curren, Counsel for the Estate of Ramona F. Calhoun

date: June 7, 2001

JSW

IN THE COMMON PLEAS COURT OF HIGHLAND COUNTY, OHIO

PROBATE DIVISION

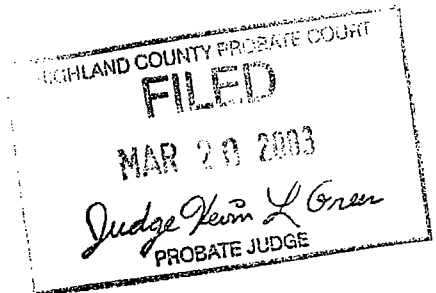
Dustin Lee Calhoun, a minor, age 12, by)
 his cousin and guardian ad litem, James E.)
 Calhoun, Jr., aka James E. Calhoun III, and)
 Trustee under the wills of decedent,)
 979 Blain Lane)
 Greenfield, Ohio 45123,)

Plaintiff,

-vs-

Case No.

001104-A



COMPLAINT IN WILL CONTEST

✓ Linda Calhoun Williams)
 Executor of the Estate of Ramona)
 Calhoun)
 979 Blain Lane)
 Greenfield, Ohio 45123,)

✓ J. G. Wentworth, S.S.C., a Pennsylvania)
 Limited Partnership (hereafter Wentworth))
 c/o Ohio Secretary of State)
 30 East Broad Street, 14th Floor)
 Columbus, Ohio 43266-0418,)

✓ Tami Birchfield)
 14781 Briar Hill Road)
 Bainbridge, Ohio 45612,)

✓ Robert Scott Calhoun)
 7545 State Route 28)
 Frankfort, Ohio 45628,)

✓ Katie Diane Zakerison)
 245 Jordan Road)
 Shiloh, Tennessee 38326,)

✓ William Calhoun)
 814 N. Fourth Street)
 Greenfield, Ohio 45123,)

HAPNER & HAPNER, ATTORNEYS AT LAW, 127 NORTH HIGH STREET, HILLSBORO, OHIO 45133

✓ Linda Calhoun Williams)
979 Blain Lane	
Greenfield, Ohio 45123,)
✓ Brian Ray Calhoun)
216 Georgetown Court	
Beckley, West Virginia 25801,)
✓ Diedra Deanne Calhoun Crabtree)
661 Jefferson Street	
Greenfield, Ohio 45123,)
✓ Rhonda Michelle Calhoun)
661 Jefferson Street	
Greenfield, Ohio 45123,)
✓ Linda Calhoun Williams)
979 Blain Lane	
Greenfield, Ohio 45123,)
✓ Dustin Lee Calhoun)
c/o John Osterleh	
627 Pine Street)
Greenfield, Ohio 45123,)
✓ James E. Calhoun III)
979 Blain Lane)
Greenfield, Ohio 45123,)
And as Trustee,)
Defendants)

01. Plaintiff is the grandson of Ramona Calhoun, deceased, and is named a beneficiary in a prior will hereafter identified. Plaintiff is a minor, under disability, and no certificate has been filed as to service in the estate proceedings for service under RC 2107.19.

02. Ramona Calhoun died a resident of Highland County, Ohio, May 1, 2000, leaving a document purporting to be her Last Will and Testament.

03. That document was admitted to probate as the Last Will and Testament of

Ramona Calhoun, deceased, on the 17th day of May, 2000, by this Court. A copy of the purported will is attached as Exhibit A. The estate proceedings are Case No. 001104 in the Probate Division, Common Pleas Court, Highland County, Ohio.

04. Defendant, Linda Calhoun Williams, was appointed Executor of the Estate of Ramona Calhoun, deceased, and continues to serve in that capacity.

05. Defendant, Wentworth, claims an interest in the purported will by reason of several contracts entered into during 1996 through 1999 between said Wentworth and Ramona Calhoun. Under the terms of those contracts, Ramona Calhoun agreed to execute Exhibit A, which purports to require her Executor to pay certain sums of money to Wentworth. Defendant Wentworth is not a registered limited partnership under the laws of the State of Ohio, and therefore appointed the Secretary of State of Ohio as its agent.

06. A. Tami Birchfield is named a beneficiary in a prior will executed February 12, 1999 by Ramona Calhoun, deceased, then known as Ramona F. Howland. This will is attached hereto as Exhibit B. Said person is named as a beneficiary in both wills, and may be an heir under RC 2105.06.

B. William Calhoun, son of Ramona, is named a beneficiary in Exhibit B. Said person is named as a beneficiary in both wills, and may be an heir under RC 2105.06.

C. Robert Scott Calhoun, son of Ramona, is named a beneficiary in Exhibit B. Said person is named as a beneficiary in both wills, and may be an heir under RC 2105.06.

D. Brian Ray Calhoun, son of Ramona, is named a beneficiary in Exhibit B. Said person is named as a beneficiary in both wills, and may be an heir under RC 2105.06.

E. Rhonda Michelle Calhoun, daughter of Ramona, is named a beneficiary in Exhibit B. Said person is named as a beneficiary in both wills, and may be an heir under RC

2105.06.

F. Diedra Deanne Calhoun Crabtree, daughter of Ramona, is named a beneficiary in Exhibit B. Said person is named as a beneficiary in both wills, and may be an heir under RC

2105.06.

G. Linda Calhoun Williams, sister of Ramona, is, in addition to being appointed Executor, is also named a beneficiary in Exhibit B. Said person is named as a beneficiary in both wills, and may be an heir under RC 2105.06.

H. Dustin Lee Calhoun, grandson of Ramona, now age 12, is plaintiff herein and is also named a beneficiary in Exhibit B. Said person is named as a beneficiary in both wills, and may be an heir under RC 2105.06.

I. Katie Diane Zakerison, granddaughter of Ramona, is named a beneficiary in Exhibit B. Said person is named as a beneficiary in both wills, and may be an heir under RC 2105.06.

J. James E. Calhoun, Jr., aka James E. Calhoun, III is named as Trustee for Dustin Lee Calhoun.

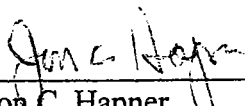
07. The purported will admitted to probate is not the Last Will and Testament of Ramona Calhoun, deceased, on grounds of undue influence, fraud, duress, and incompetency of testator and unenforceability for vagueness. Plaintiff further says the contract with Defendant Wentworth is illegal and constitutes fraud and duress.

08. By reason of the invalidity of the purported will, Exhibit A, the will of Ramona Calhoun, then known as Ramona F. Howland, dated February 12, 1999, attached hereto as Exhibit B, is the valid Last Will and Testament of said decedent.

Wherefore, plaintiff demands that the purported Last Will and Testament of said decedent be adjudged invalid and set aside and for costs and attorney fees.

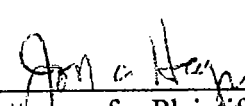
Hapner & Hapner

By



Jon C. Hapner
Reg. No. 0003017
127 North High Street
Hillsboro, Ohio 45133
Phone 937-393-3487
Attorney for Plaintiff

Plaintiff demands trial by jury herein.

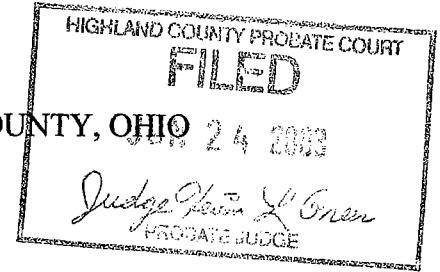


Attorney for Plaintiff

JCH:ll
3-20-03
1.(16)

IN THE COURT OF COMMON PLEAS OF HIGHLAND COUNTY, OHIO

PROBATE DIVISION



Dustin Lee Calhoun, a minor, age 12,
by his cousin and guardian ad litem,

Plaintiff,

-VS-

Linda Calhoun Williams, et al.,

Defendants

Case No. 001104A

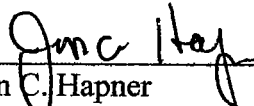
MOTION

Now comes the plaintiff, and moves the Court for judgment by default against J.

G. Wentworth, S.S.C., a Pennsylvania Limited Partnership; Tami Birchfield; Robert Scott Calhoun; William Calhoun; Linda Calhoun Williams; Brian Ray Calhoun; Diedra Deanne Calhoun Crabtree; Rhonda Michelle Calhoun; Linda Calhoun Williams; and James E. Calhoun III, said parties having been duly served with summons and a copy of the complaint, and failing to answer or respond therein, thereby confessing the allegations of plaintiff's complaint to be true.

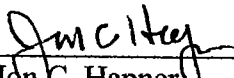
Hapner & Hapner

By


Jon C. Hapner
Reg. No. 0003017
127 North High Street
Hillsboro, Ohio 45133
Phone 937-393-3487
Attorney for Plaintiff

CERTIFICATE

This is to certify that a copy of this motion was sent by ordinary first class mail to J. G. Wentworth, S.S.C., P. O. Box 7780-4244, Philadelphia, PA 19182-4244; to Tami Birchfield, 14781 Briar Hill Road, Bainbridge, Ohio 45612; to Robert Scott Calhoun, 7545 State Route 28, Frankfort, Ohio 45628; to William Calhoun, 814 N. Fourth Street, Greenfield, Ohio 45123; to Linda Calhoun Williams, 979 Blain Lane, Greenfield, Ohio 45123; to Brian Ray Calhoun, 216 Georgetown Court, Beckley, West Virginia 25801; to Diedra Deanne Calhoun Crabtree, 661 Jefferson Street, Greenfield, Ohio 45123; to Rhonda Michelle Calhoun Carroll, 1160 Highway 142, Shiloh, Tennessee 38326; to Linda Calhoun Williams, 979 Blain Lane, Greenfield, Ohio 45123; and to James E. Calhoun III, 979 Blain Lane, Greenfield, Ohio 45123, by ordinary first class mail this 23rd day of June, 2003.



Jon C. Hapner

JCH:ll
6-23-03
1.(12)

CIVIL DOCKET

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Case Number: 001104 -A Concerning: Calhoun, Ramona F

03/20/2003 COMPLAINT IN WILL CONTEST FILED BY JON HAPNER
JRNL
PAGE

03/20/2003 HEARING SET FOR 06/20/2003 AT 8:00 AM
JRNL
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03/20/2003 DEPOSIT--- # 30335 \$ 150.00 JON C. HAPNER
JRNL
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03/20/2003 SUMMONS ISSUED BY CERTIFIED MAIL TO DUSTIN CALHOUN, JAMES
JRNL CALHOUN, LINDA WILLIAMS, J.G. WENTWORTH, TAMI BIRCHFIELD,
PAGE ROBERT CALHOUN, KATIE ZAKERISON, WILLIAM CALHOUN, BRIAN CALHO
UN, DIEDRA CRABTREE, RHONDA CALHOUN

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PAGE ROBERT CALHOUN, KATIE ZAKERISON, WILLIAM CALHOUN, BRIAN CALH
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03/21/2003 CERTIFIED MAIL ISSUED 56.20
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03/21/2003 COMPUTERIZATION FUND. 10.00
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03/21/2003 INDEXING FEE 15.00
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03/21/2003 APPLIED DEPOSIT -81.20
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03/24/2003 CERTIFIED MAIL RETURNED AND FILED. SERVED ON JAMES CALHOUN I
JRNL II, RHONDA CALHOUN, LINDA WILLIAMS ON 03/22/03
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03/25/2003 CERTIFIED MAIL RETURNED AND FILED. SERVED ON WILLIAM CALHOUN
JRNL 03/22/03, DIEDRA CRABTREE ON 03/22/03, DUSTIN CALHOUN, KATIE ZA
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03/28/2003 CERTIFIED MAIL RETURNED AND FILED SERVED ON BRIAN RAY CALHOU
JRNL N ON 3/26/03
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04/01/2003 CERTIFIED MAIL RETURNED AND FILED. NOT SERVED ON ROBERT SCOT
JRNL T CALHOUN NOT DELIVERABLE AS ADDRESSED
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04/02/2003 NOTIFICATION OF FAILED SERVICE ISSUED TO JON HAPNER FOR FAIL
JRNL ED SERVICE ON ROBERT SCOTT CALHOUN
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PROBATE COURT C HIGHLAND COUNTY

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Case Number: 001104 Concerning: Calhoun, Ramona F

04/29/2003 AFFIDAVIT ON BASIS OF SERVICE FILED BY JON HAPNER / ISSUED T
JRNL O SECRETARY OF STATE
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04/29/2003 CERTIFIED MAIL ISSUED TO J. WENTWORTH AND SECRETARY OF STATE
JRNL COPY OF SUMMONS, AFF., COMPLAINT
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04/30/2003 APPLIED DEPOSIT -8.84
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05/03/2003 CERTIFIED MAIL RETURNED AND FILED SERVED ON OHIO SECRETARY O
JRNL F STATE
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05/27/2003 CERTIFIED MAIL RETURNED AND FILED SERVED ON J. G WENTWORTH S
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06/20/2003 HEARING SET FOR 08/20/2003 AT 9:00 AM
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06/20/2003 PRETRIAL ENTRY COPY TO ALL ON 1.0 CONRAD CURREN,J HAPNER
JRNL 25
PAGE 278

06/20/2003 NOTICE OF HEARING SENT ON HEARING DATE TO- ALL ON .00
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06/20/2003 POSTAGE COSTS 2.96
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06/23/2003 REG. MAIL RETURNED ON WILLIAM CALHOUN / NOT DELIVERABLE AS A
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06/24/2003 MOTION FOR DEFAULT JUDGMENT FILED BY JON C. HAPNER
JRNL
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06/24/2003 MOTION FOR APPOINTMENT OF GUARDIAN AD LITEM FILED BY JON
JRNL C. HAPNER
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06/24/2003 JOURNAL ENTRY APPOINTING GUARDIAN AD LITEM
JRNL 25
PAGE 296

06/25/2003 NOTICE OF HEARING SENT ON HEARING DATE TO- ALL ON 4.07
JRNL 1.0 SENT REGULAR MAIL JON HAPNER AND CONRAD CURREN
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06/25/2003 NOTICE OF FAILED SERVICE ISSUED TO JON HAPNER FOR WM. CALHOU
JRNL N
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06/26/2003 MOTION FOR LEAVE TO FILE ANSWER FILD BY CONRAD A. CURREN 5.0
JRNL
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06/26/2003 ENTRY GRANTING LEAVE TO FILE ANSWER FILED
JRNL 25
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06/27/2003 REGULAR MAIL RETURNED NOT SERVED ON J.G. WENTWORTH SSC -
JRNL MARKED RETURN TO SENDER NO ONE HERE BY THAT NAME
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06/27/2003 REGULAR MAIL REISSUED TO J.G. WENTWORTH SSC AT PROPER ADDRES
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07/03/2003 NOTIFICATION OF FAILED SERVICE ISSUED TO C CURREN FOR FAILED
JRNL SERVICE ON W.CALHOUN
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07/03/2003 MOTION FILED BY C CURREN FOR LEAVE TO FILE ANSWER
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07/03/2003 JUDGMENT ENTRY APPROVING LEAVE TO FILE ANSWER
JRNL 25
PAGE 335

07/03/2003 ANSWER FILED BY C CURREN
JRNL 25
PAGE 335

07/03/2003 WAIVER FILED SIGNED BY KATIE ZAKERISON
JRNL 25
PAGE 335

07/14/2003 REGULAR MAIL RETURNED FROM JG WENTWORTH C/O SECRETARY OF STA
JRNL TE.(FORWARDED COPY TO COVER LETTER TO J.HAPNER PER KLG)
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07/31/2003 REGULAR MAIL RETURNED NOT SERVED ON ROBERT CALHOUN,NOT DELIV
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07/31/2003 NOTIFICATION OF FAILED SERVICE ISSUED TO JON HAPNER FOR FAIL
JRNL ED SERVICE ON ROBERT CALHOUN
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08/20/2003 WAIVER SIGNED BY JOHN OSTERLEH FOR DUSTIN LEE CALHOUN
JRNL COPY TO J. HAPNER
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08/20/2003 ENTRY ORDERING PRETRIAL VOL 25 PG 582 COPY TO J HAPNER,C CUR
JRNL REN,JAMES CALHOUN JR,LINDA WILLIAMS BY RMAIL
PAGE 582

PROBATE COURT C IGH LAND COUNTY

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Case Number: 001104 Concerning: Calhoun, Ramona F

08/21/2003 HEARING SET FOR 11/14/2003 AT 8:30 AM
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08/21/2003 NOTICE OF HEARING SENT ON HEARING DATE TO-- JAMES CALHOUN JR,
JRNL LINDA WILLIAMS, JON HAPNER, AND CONRAD CURREN
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08/21/2003 WAIVER OF SUMMONS SIGNED BY ROBERT CALHOUN
JRNL
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09/02/2003 JOURNAL ENTRY FILED COPY TO ALL DEFENDANT'S BY CERT. OF MA
JRNL 25 IL AND TO COUNSEL BY REG. MAIL
PAGE 640

09/08/2003 REGULAR MAIL RETURNED NOT SERVED ON WILLIAM CALHOUN, UNABLE T
JRNL O FORWARD
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09/08/2003 NOTIFICATION OF FAILED SERVICE ISSUED TO JON HAPNER FOR FAIL
JRNL ED SERVICE ON WILLIAM CALHOUN
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11/17/2003 ENTRY SETTING PRETRIAL
JRNL 26 COPY TO C CURREN, J HAPNER
PAGE 1118

11/17/2003 HEARING SET FOR 02/27/2004 AT 1:00 PM
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11/17/2003 NOTICE OF HEARING SENT ON HEARING DATE TO-- J HAPNER, C CURRE
JRNL N, J CALHOUN JR, L WILLIAMS
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11/28/2003 APPLIED DEPOSIT -1.48
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03/01/2004 ENTRY SETTING PRE TRIAL / COPY TO JON HAPNER, CONRAD CURREN
JRNL 27
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03/01/2004 HEARING SET FOR 06/02/2004 AT 8:00 AM
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03/01/2004 NOTICE OF HEARING SENT ON HEARING DATE TO-- JON HAPNER, CONRAD
JRNL CURREN, JAMES CALHOUN, JR., LINDA WILLIAMS
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06/08/2004 HEARING SET FOR 07/28/2004 AT 8:00 AM
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06/08/2004 ENTRY SETTING TR--GOODMAN ET AL, J. HAPNER, CON. CURREN, JOHN
JRNL OSTERLEH, L. WILLIAMS, J. G. WENTWORTH, T. BIRCHFIELD, R. C
PAGE 793 ALHOUN, K. ZAKERISON, W. CALHOUN, B. CALHOUN, B. CALHOUN, D.
CRABTREE, R CALHOUN, D CALHOUN, J CALHOUN, III

PROBATE COURT HIGHLAND COUNTY

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06/08/2004 NOTICE OF HEARING SENT ON HEARING DATE TO- ALL DEF. ON COMPL
JRNL AINT, PLAINTIFF & GAL, J. HAPNER, CON. CURREN, GOODMAN WEISS
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